

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Thomas LENZING et al.
 Serial No. : To Be Assigned
 Filed : Herewith
 For : DEVICE FOR MEASURING AT LEAST ONE PARAMETER
 OF A FLOWING MEDIUM
 Art Unit : To Be Assigned
 Examiner : To Be Assigned

Assistant Commissioner for Patents
 Washington, D.C. 20231

PRELIMINARY AMENDMENT AND
37 C.F.R. § 1.125 SUBSTITUTE SPECIFICATION STATEMENT

S I R:

Please amend the above-identified application before examination, as set forth below.

IN THE SPECIFICATION AND ABSTRACT:

In accordance with 37 C.F.R. § 1.121(b)(3), a Substitute Specification (including the Abstract, but without claims) accompanies this response. It is respectfully requested that the Substitute Specification (including Abstract) be entered to replace the Specification of record.

IN THE CLAIMS:

On the first page of the claims, first line, change "What is claimed is:" to --WHAT IS CLAIMED IS:--.

Please cancel, without prejudice, claims 1 to 16 in the underlying PCT application.

Please add the following new claims:

--17. (New) A device for measuring at least one parameter of a medium flowing in a main direction of flow in a line, comprising:

a measuring element circumflowed by the medium and positioned in the line; and

at least one constriction configured to produce acoustic disturbances and positioned in the line;

wherein the constriction includes a mechanical-acoustic prevention element.

18. (New) The device according to claim 17, wherein the at least one parameter includes to a mass flow.

19. (New) The device according to claim 18, wherein the mass flow includes an intake air mass flow of an internal combustion engine.

20. (New) The device according to claim 17, further comprising at least one element positioned in the line and configured to reduce an impact of one of fluid and solid particles on the measuring element.

21. (New) The device according to claim 20, wherein the element configured to reduce the impact of one of fluid and solid particles includes a tubular body having a flow channel through which the medium flows, the measuring element being located in the tubular body.

22. (New) The device according to claim 20, wherein the element configured to reduce the impact of one of fluid and solid particles includes a protective screen located in one of the line and the tubular body.

23. (New) The device according to claim 17, wherein each prevention element includes a radial elevation arranged along a radial circumferential line of the line.

24. (New) The device according to claim 23, wherein the radial elevation includes a rectangular cross-section arranged at a right angle to the main direction of flow.

Remarks

This Preliminary Amendment cancels without prejudice original claims 1 to 16 in the underlying PCT Application No. PCT/DE01/00690 and adds without prejudice new claims 17 to 34 . The new claims, *inter alia*, conform the claims to U.S. Patent and Trademark Office rules and do not add new matter to the application.

In accordance with 37 C.F.R. § 1.121(b)(3), the Substitute Specification (including the Abstract, but without the claims) contains no new matter. The amendments reflected in the Substitute Specification (including Abstract) are to conform the Specification and Abstract to U.S. Patent and Trademark Office rules or to correct informalities. As required by 37 C.F.R. § 1.121(b)(3)(iii) and § 1.125(b)(2), a Marked Up Version Of The Substitute Specification comparing the Specification of record and the Substitute Specification also accompanies this Preliminary Amendment. Approval and entry of the Substitute Specification (including Abstract) is respectfully requested.

The underlying PCT Application No. PCT/DE01/00690 includes an International Search Report, dated August 20, 2001. The Search Report includes a list of documents that were uncovered in the underlying PCT Application. A copy of the Search Report accompanies this Preliminary Amendment.

Applicants assert that the subject matter of the present application is new, non-obvious, and useful. Prompt consideration and allowance of the application are respectfully requested.

Respectfully Submitted,

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